

**BILL**

**29.951 Resisting a conservation warden.** Any person who assaults or otherwise resists or obstructs any conservation warden in the performance of duty shall be subject to the penalty specified in s. 939.51 (3) (a).

<sup>Ⓟ 1237r</sup>  
SECTION ~~508~~. 29.954 of the statutes is amended to read:

**29.954 False impersonation of conservation warden.** Any person who falsely represents himself or herself to be a conservation warden or who assumes to act as a conservation warden without having been first duly appointed shall be subject to the penalty specified in s. 939.51 (3) (a). <sup>V/O</sup>

# Page 492, line 2: after that line insert:  
SECTION ~~509~~. 29.987 (2) of the statutes is amended to read:

<sup>Ⓟ 1245g</sup>  
29.987 (2) USE OF NATURAL RESOURCES ASSESSMENT FUNDS. All moneys collected from natural resources assessments shall be credited to the appropriation under s. 20.370 (3) ~~(mu)~~ (1) (pu).

<sup>Ⓟ 245r</sup>  
SECTION ~~510~~. 29.989 (2) of the statutes is amended to read:

29.989 (2) USE OF NATURAL RESOURCES RESTITUTION PAYMENT FUNDS. All moneys collected from natural resources restitution payments shall be appropriated for use under s. 20.370 (3) ~~(mu)~~ (1) (pu). <sup>Ⓟ e</sup>

# Page 492, line 2: after that line insert:  
SECTION ~~511~~. 30.01 (title) of the statutes is amended to read:

<sup>Ⓟ 1246c</sup>  
**30.01 (title) Definitions for chapter.**

<sup>Ⓟ 1246f</sup>  
SECTION ~~512~~. 30.01 (1j) of the statutes is repealed.

<sup>Ⓟ 1246h</sup>  
SECTION ~~513~~. 30.01 (6) of the statutes is repealed.

<sup>Ⓟ 1246i</sup>  
SECTION ~~514~~. 30.015 of the statutes is created to read:

**30.015 Definitions for subchapters I to III. (1) In subchs. I to III:**

- (a) "Department" means the department of environmental management.
- (b) "Secretary" means the secretary of environmental management.

<sup>Ⓟ 1246m</sup>  
SECTION ~~515~~. 30.02 (1) of the statutes is amended to read:

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as affected by 2001 Wisconsin Acts... (this act),

(1) (Intro.)

SECTION 519. 30.124 of the statutes is renumbered ~~23.244~~ and 23.244 (1)

(intro.) as renumbered, is amended to read:

23.244 (1) (intro.) Notwithstanding ss. ~~23.245~~, 30.12, ~~30.125~~, 30.20, 30.44 and 30.45 and if the department finds, after consulting with the department of environmental management, that the activity will not adversely affect public or private rights or interests in fish and wildlife populations, navigation or waterway flood flow capacity and will not result in environmental pollution, as defined in s. 299.01 (4), the department may do all of the following on public lands or waters:

SECTION 520. 30.125 of the statutes is renumbered 23.245.

INSERT 119A

# Page 494, line 8; after that line insert:

SECTION 521. 30.1255 of the statutes is renumbered 23.243.

electronic

SECTION 522. 30.195 (2) of the statutes is amended to read:

30.195 (2) APPLICATIONS. Applications for permits required by this section shall be made to the department of natural resources upon forms prescribed by it. Applications shall contain such information as the department reasonably requires to enable it to act on the application.

SECTION 523. 30.20 (1) (d) of the statutes is amended to read:

30.20 (1) (d) The drainage board for the Duck Creek Drainage District may, without a permit under sub. (2) (c), remove material from a drain that the board operates in the Duck Creek Drainage District if the removal is required, under rules promulgated by the department of agriculture, trade and consumer protection, in order to conform the drain to specifications imposed by the department of agriculture, trade and consumer protection after consulting with the department of natural resources environmental management.

SECTION 524. 30.203 of the statutes is renumbered 23.178.

SECTION 525. 30.24 of the statutes is renumbered 23.0942.

Page 494, line 20: delete the material beginning with that line and substitute: and ending with page 497, line 21, and substitute.

Please fix Comp.

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<sup>1261r</sup>  
SECTION 526. 30.26 of the statutes is renumbered 23.43.

<sup>1261u</sup>  
SECTION 527. 30.27 of the statutes is renumbered 23.432.

<sup>1261w</sup>  
SECTION 528. 30.275 of the statutes is renumbered 23.434.

<sup>1261y</sup>  
SECTION 529. 30.277 of the statutes is renumbered 23.0944. ✓

# Page 498, line 12: after that line insert:

<sup>1263c</sup>  
SECTION 530. 30.40 (3e) of the statutes is created to read:

30.40 (3e) "Department" means the department of fish, wildlife, parks, and forestry.

<sup>1263e</sup>  
SECTION 531. 30.40 (15m) of the statutes is created to read:

30.40 (15m) "Secretary" means the secretary of fish, wildlife, parks, and forestry.

<sup>1263g</sup>  
SECTION 532. 30.41 (1) of the statutes is amended to read:

30.41 (1) There is created a Lower Wisconsin State Riverway consisting of land as designated by the natural resources fish, wildlife, parks, and forestry board. ✓

# Page 499, line 3: after that line insert:

<sup>1265m</sup>  
SECTION 533. 30.50 (3m) of the statutes is created to read:

30.50 (3m) "Department" means the department of fish, wildlife, parks, and forestry.

# Page 499, line 7: after that line insert:

<sup>119a</sup> <sup>1267m</sup>  
SECTION 534. 30.50 (11m) of the statutes is created to read:

30.50 (11m) "Secretary" means the secretary of fish, wildlife, parks, and forestry.

as affected by 2001 Wisconsin Act ... (this act),

# Page 502, line 17: after that line insert:

SECTION 535. 30.52 (1m) (e) of the statutes is amended to read:

<sup>1283m</sup> 30.52 (1m) (e) <sup>Receipt</sup> Remittance of fees. An agent appointed under par. (a) 2. or 3. shall remit to the department \$2 of each \$3 fee collected under par. (d). Any <sup>All</sup> fees remitted to or collected by the department under par. <sup>(ar)</sup> (a) shall be credited to the appropriation account under s. 20.370 (9) <sup>(hu)</sup> (1) <sup>(hw)</sup>. ✓

# Page 503, line 7: after that line insert:

<sup>1286m</sup>  
SECTION 536. 30.52 (3m) (b) of the statutes is amended to read:

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30.52 (3m) (b) All moneys collected under par. (a) shall be deposited into the account under s. 20.370 (3) (1) (is). <sup>✓</sup>

# Page 507, line 23; after that line insert: <sup>✓</sup>

SECTION 537. 30.71 (4) of the statutes is amended to read:

① 1306m

30.71 (4) Any rules necessary to carry out the purposes of this section shall be promulgated jointly by the department of commerce and the department of natural

resources fish, wildlife, parks, and forestry. <sup>✓</sup>

# Page 509, line 25; after that line insert: <sup>✓</sup>

SECTION 538. 30.773 (2) of the statutes is amended to read:

① 1319m

30.773 (2) PROCEDURES. A municipality authorized to establish a bulkhead line under s. 30.11 may establish a designated mooring area in the same manner as it is authorized to establish the bulkhead line except that the municipality is required to obtain the approval of the department of fish, wildlife, parks, and forestry, rather than the department of environmental management, and if the municipality created a board of harbor commissioners, the municipality is also required to obtain the approval of that board in addition to the approval of the department. <sup>✓</sup>

# Page 511, line 2; after that line insert: <sup>✓</sup>

SECTION 539. 30.92 (6) (b) of the statutes is amended to read:

① 1331m

30.92 (6) (b) The department shall assign staff to the commission for management of the program under this section. All staff activities, including but not limited to budgeting, program coordination and related administrative management functions, shall be consistent with the policies of the department and the natural resources fish, wildlife, parks, and forestry board. <sup>✓</sup>

SECTION 540. 30.94 (6m) of the statutes is amended to read:

30.94 (6m) STATE AID. Notwithstanding s. 30.92 (4) (a), the department shall provide in each fiscal year funds from the appropriation under s. 20.370 (9) (1) (ju) to the commission for the management, operation, restoration and repair of the Fox River navigational system if Brown County, Calumet County, Fond du Lac County, <sup>✓</sup>

**BILL****SECTION 540**

Outagamie County and Winnebago County contribute matching funds for the management and operation of the Fox River navigational system.

# Page 5, line 25: After that line insert:  
SECTION 541.30.95 of the statutes is created to read:

(b) (1339 m)

**30.95 General provision for notice and hearing.** (1) In any proceeding under this subchapter or subch. IV in which public notice is required, the department shall follow the procedures in subs. (3) and (4).

(2) In any proceeding under this subchapter or subch. IV in which public notice is not required, the department shall follow the procedures in subs. (3) and (4) if it determines that substantial interests of any party may be adversely affected by the proceeding.

(3) Upon receipt of a complete permit application, the department shall either schedule a hearing or provide notice stating that it will proceed on the application or request without a hearing if, within 30 days after the publication of the notice, no substantive written objection to issuance of the permit is received. The notice shall be provided to the clerk of each municipality in which the project is located and to any other person required by law to receive notice. The department may provide notice to other persons as it deems appropriate. The department shall provide a copy of the notice to the applicant, who shall publish it as a class 1 notice under ch. 985 in a newspaper designated by the department that is likely to give notice in the area affected. The applicant shall file proof of publication with the department.

(4) (a) If a public hearing is ordered, the division of hearings and appeals shall mail a written notice at least 10 days before the hearing to each person given notice under sub. (3) and, in the case of an application for a permit, to any person who submitted a substantive written objection to issuance of the permit.

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(b) The applicant shall publish a class 1 notice under ch. 985 of the hearing in a newspaper designated by the department that is likely to give notice in the area affected. The applicant shall file proof of publication under this paragraph with the hearing examiner at or prior to the hearing.

<sup>Ⓟ 1339 u</sup>  
SECTION ~~542~~ 31.01 (2) of the statutes is amended to read:

31.01 (2) "Department" means the department of ~~natural resources~~  
environmental management.

<sup>Ⓟ 340 m</sup>  
SECTION ~~543~~ 31.02 (4) (c) of the statutes is amended to read:

31.02 (4) (c) With good and sufficient fishways or fish ladders, or in lieu thereof, the department of environmental management may permit the owner may be permitted to enter into an agreement with the department of fish, wildlife, parks, and forestry to pay for or to supply to the state of Wisconsin annually such quantities of game fish for stocking purposes as may be agreed upon by the owner and the department of fish, wildlife, parks, and forestry.

# Page 512, line 3: after that line insert  
SECTION ~~544~~ 31.02 (4r) of the statutes is amended to read:

<sup>Ⓟ 1340 r</sup>  
31.02 (4r) The department of environmental management shall promulgate rules specifying the rights held by the public in navigable waters that are dammed. The rules shall include provisions on the rights held by the public that affect the placement of fishways or fish ladders in navigable waters that are dammed. The department of environmental management shall consult with the department of fish, wildlife, parks, and forestry concerning the rules under this subsection.

<sup>Ⓟ 1342 b</sup>  
SECTION ~~545~~ 31.02 (7m) of the statutes is amended to read:

31.02 (7m) The drainage board for the Duck Creek Drainage District shall operate, repair and maintain dams, dikes and other structures in district drains that the board operates in the Duck Creek Drainage District in compliance with ch. 88

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and any rules promulgated by the department of agriculture, trade and consumer protection under ch. 88. If a county drainage board fails to perform its duties under this subsection, the department of ~~natural resources~~ fish, wildlife, parks, and forestry may exercise its authority under subs. (6), (8) and (9).

Ⓟ 1344 b

**SECTION 546.** 31.06 (1) of the statutes is amended to read:

31.06 (1) Upon receipt of an application for a permit under s. 31.05 the department of environmental management may order a hearing or it may mail a notice that it will proceed on the application without public hearing unless a request for a public hearing is filed as provided in this section. The notice shall be mailed to the clerk of each municipality directly affected by the proposed dam and to the department of fish, wildlife, parks, and forestry. The department of environmental management may give further or other notice as it considers proper. The department of environmental management shall mail a copy of the notice to the applicant who shall cause the notice to be published in each county in which affected riparian lands are located as a class 1 notice, under ch. 985. If a hearing is not requested in writing within 30 days after mailing of the notice, the department of environmental management may waive the hearing.

Ⓟ 1344 c

**SECTION 547.** 31.06 (3) (b) of the statutes is amended to read:

31.06 (3) (b) If it appears, after consulting with the department of fish, wildlife, parks, and forestry, that the construction, operation or maintenance of the proposed dam is in the public interest, considering ecological, aesthetic, economic and recreational values, the department of environmental management shall so find and grant a permit to the applicant, provided the department of environmental management also finds that the applicant has complied with s. 31.14 (2) or (3) and,

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where applicable, with s. 31.05 (3), based on the ~~department's own~~ estimate of the department of environmental management of the area of the flowage.

⑥ 1344 d  
SECTION ~~548~~. 31.187 (2) of the statutes is amended to read:

31.187 (2) Whenever the department of environmental management determines, after consultation with the department of fish, wildlife, parks, and forestry, that the conservation of any species or variety of wild animals will be promoted thereby, the department may maintain and repair any dam located wholly upon lands the title to which is in the state either as proprietor or in trust for the people after giving due consideration to fixing the level and regulating the flow of the public waters.

⑥ 1344 f  
SECTION ~~549~~. 31.307 (4) of the statutes is repealed.

⑥ 1344 g  
SECTION ~~550~~. 31.309 (1) (a) and (am) of the statutes are repealed.

⑥ 1344 h  
SECTION ~~551~~. 31.309 (1) (b) of the statutes is renumbered 31.309 (1) and amended to read:

31.309 (1) When the department determines that the renovation and repair described under ~~par. (a) s. 31.309 (1) (a), 1999 stats.~~, are complete, the city of Portage shall assume the maintenance of the city of Portage levee in the Portage levee system in a manner that will best protect the surrounding area from the overflow of the Wisconsin River.

⑥ 1344 i  
SECTION ~~552~~. 31.309 (2) (a) of the statutes is renumbered 31.309 (2).

⑥ 1344 m  
SECTION ~~553~~. 31.309 (2) (b) of the statutes is repealed.

⑥ 1344 p  
SECTION ~~554~~. 31.34 of the statutes is amended to read:

**31.34 Flow of water regulated.** Each person, firm or corporation maintaining a dam on any navigable stream shall pass at all times at least 25% of the natural low flow of water of such stream, except as otherwise provided by law.



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This section, however, shall not apply to a plant or dam where the water is discharged directly into a lake, mill pond, storage pond or cranberry marsh, nor shall it apply to cases ~~where in the opinion of~~ in which the department of environmental management determines, after consultation with the department of fish, wildlife, parks, and forestry, that such minimum discharge is not necessary for the protection of fish life. Any person, firm or corporation violating this section shall be fined not less than \$50 nor more than \$1,000. <sup>V6</sup>

#. Page 512, line 6: after that line insert <sup>↑</sup>  
SECTION ~~555~~ <sup>1345g</sup> 32.02 (16) of the statutes is amended to read:

32.02 (16) The department of ~~natural resources~~ fish, wildlife, parks, and forestry with the approval of the appropriate standing committees of each house of the legislature as determined by the presiding officer thereof and as authorized by law, for acquisition of lands.

<sup>1345h</sup> SECTION ~~556~~ 32.035 (3) of the statutes is amended to read:

32.035 (3) PROCEDURE. The condemnor shall notify the department of any project involving the actual or potential exercise of the powers of eminent domain affecting a farm operation. If the condemnor is the department of ~~natural resources~~ fish, wildlife, parks, and forestry, the notice required by this subsection shall be given at the time that permission of the senate and assembly committees on natural resources is sought under s. 23.09 (2) (d) or 27.01 (2) (a). To prepare an agricultural impact statement under this section, the department may require the condemnor to compile and submit information about an affected farm operation. The department shall charge the condemnor a fee approximating the actual costs of preparing the statement. The department may not publish the statement if the fee is not paid.

<sup>1345i</sup> SECTION ~~557~~ 33.01 (2) of the statutes is amended to read:

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33.01 (2) "Department" means the department of ~~natural resources~~  
environmental management.

<sup>ⓑ 1345 p</sup>  
SECTION ~~558~~. 33.265 of the statutes is amended to read:

**33.265 Notice, filing and recording requirements.** If a district is created or its boundaries altered, the board of commissioners shall record the authorizing document, including a legal description of the boundary, with the register of deeds in each county where the district is situated, and file the document and legal description with the department of ~~natural resources~~ environmental management and the department of revenue.

<sup>ⓑ 1346 e</sup>  
SECTION ~~559~~. 33.457 (4) (intro.) of the statutes is amended to read:

33.457 (4) (intro.) Within 3 months after the implementation plan is developed and submitted under sub. (1), the department of environmental management, the department of fish, wildlife, parks, and forestry, and the designated planning agency under s. 281.51 that covers the county shall evaluate the implementation plan to determine whether it is consistent with the criteria for water quality planning under s. 281.51 and whether the plan is adequate to:

<sup>ⓑ 1346 f</sup>  
SECTION ~~560~~. 33.55 (1) (o) of the statutes is amended to read:

33.55 (1) (o) One nonvoting representative from the department of ~~natural resources~~ environmental management, who shall be appointed by the secretary of ~~natural resources~~ environmental management.

<sup>ⓑ 1346 g</sup>  
SECTION ~~561~~. 33.55 (1) (p) of the statutes is created to read:

33.55 (1) (p) One nonvoting representative from the department of fish, wildlife, parks, and forestry, who shall be appointed by the secretary of fish, wildlife, parks, and forestry.

<sup>ⓑ 1346 h</sup>  
SECTION ~~562~~. 33.59 (1) of the statutes is amended to read:

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33.59 (1) The board of commissioners shall develop an implementation plan by April 1, 1998, and shall submit the plan to the department of ~~natural resources~~ environmental management, fish, wildlife, parks, and forestry, the county planning agency, the chairperson of the county board and the county executive of the county by April 1, 1998.

SECTION 563. <sup>1346i</sup> 33.59 (3) (intro.) of the statutes is amended to read:

33.59 (3) (intro.) Within 3 months after the implementation plan is developed and submitted under sub. (1), the department of environmental management, the department of fish, wildlife, parks, and forestry and the designated planning agencies under s. 281.51 that cover each county shall evaluate the implementation plan to determine whether it is consistent with the criteria for water quality planning under s. 281.51 and whether the plan is adequate to: ✓

#. Page 517, line 8: after that line insert ✓  
SECTION 564. <sup>1354f</sup> 36.25 (8) of the statutes is amended to read:

36.25 (8) WATER RESOURCES RESEARCH. Funds made available to the various state agencies for joint water resources research and data collection programs shall be administered and coordinated by the director of the water resources center of the University of Wisconsin-Madison. Such funds shall be made available, on application from the state agencies concerned, when the director, after seeking the advice of the department of ~~natural resources~~ fish, wildlife, parks, and forestry and the department of environmental management, finds the proposed projects to be consistent with other state projects and the needs of the state. The director shall make biennial reports to the chief clerk of each house of the legislature, for distribution to the legislature under s. 13.172 (2), at the convening of the legislature.

SECTION 565. <sup>1354j</sup> 36.25 (11) (c) of the statutes is amended to read:

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36.25 (11) (c) The laboratory shall provide analytical support to the appropriate state agencies charged with water system evaluation. The support service shall include an evaluation from a public health standpoint and analytical support to ascertain the water's suitability for manufacturing, commercial and recreational purposes as determined by the rules promulgated by the department of health and family services, the department of ~~natural resources~~ environmental management and the department of agriculture, trade and consumer protection.

<sup>1354k</sup>  
SECTION ~~566~~ 36.25 (11) (d) of the statutes is amended to read:

36.25 (11) (d) The laboratory shall be operated to furnish a complete laboratory service to the department of health and family services, the department of environmental management, and the department of ~~natural resources~~ fish, wildlife, parks, and forestry in the areas of water quality, air quality, public health and contagious diseases and to make available to the system, the department of health and family services, the department of environmental management, and the department of ~~natural resources~~ fish, wildlife, parks, and forestry such facilities for teaching in the fields of public health and environmental protection as may be derived from such a laboratory.

<sup>1355d</sup>  
SECTION ~~567~~ 36.25 (12m) (f) of the statutes is amended to read:

36.25 (12m) (f) Assist the department of ~~natural resources~~ fish, wildlife, parks, and forestry in its work as the state representative of the U.S. geographic board and its other functions under s. 23.25. ✓

#. Page 518, line 12: after that line insert: ✓  
SECTION ~~568~~ 36.25 (30) of the statutes is amended to read:

<sup>1356+</sup>  
36.25 (30) POLLUTION PREVENTION. The board shall maintain in the extension a solid and hazardous waste education center to promote pollution prevention, as defined in s. 299.13 (1) (dm). In cooperation with the department of ~~natural resources~~

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environmental management and the department of commerce, the center shall conduct an education and technical assistance program to promote pollution prevention in this state. ✓

# Page 519, line 5: after that line insert:

SECTION 569. 36.27 (3m) (a) 2. of the statutes is amended to read:

36.27 (3m) (a) 2. "Law enforcement officer" has the meaning given in s. 165.85

(2) (c) and includes a person appointed as a conservation warden under s. 23.10 and

a person appointed as an environmental warden under s. 278.10. ✓

# Page 533, line 2: after that line insert:

SECTION 570. 40.02 (48) (am) of the statutes is amended to read:

40.02 (48) (am) "Protective occupation participant" includes any participant

whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who

is a conservation warden, conservation patrol boat captain, conservation patrol boat

engineer, conservation pilot, conservation patrol officer, forest fire control assistant,

environmental warden, member of the state traffic patrol, state motor vehicle

inspector, police officer, fire fighter, sheriff, undersheriff, deputy sheriff, state

probation and parole officer, county traffic police officer, state forest ranger, fire

watcher employed at Wisconsin veterans facilities, state correctional-psychiatric

officer, excise tax investigator employed by the department of revenue, special

criminal investigation agent in the department of justice, assistant or deputy fire

marshal, or person employed under s. 61.66 (1).

SECTION 571. 40.02 (48) (c) of the statutes is amended to read:

40.02 (48) (c) In s. 40.65, "protective occupation participant" means a

participating employee who is a police officer, fire fighter, an individual determined

by a participating employer under par. (a) or (bm) to be a protective occupation

participant, county undersheriff, deputy sheriff, state probation and parole officer,

county traffic police officer, conservation warden, state forest ranger, field

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conservation employee of the department of ~~natural resources~~ fish, wildlife, parks, and forestry who is subject to call for forest fire control or warden duty, environmental warden, member of the state traffic patrol, state motor vehicle inspector, University of Wisconsin System full-time police officer, guard or any other employee whose principal duties are supervision and discipline of inmates at a state penal institution, excise tax investigator employed by the department of revenue, person employed under s. 61.66 (1), or special criminal investigation agent employed by the department of justice.

#. Page 535, line 12: after that line insert:

SECTION ~~574~~ <sup>1404c</sup> 41.41 (4) (c) of the statutes is amended to read:

41.41 (4) (c) The department of agriculture, trade and consumer protection, the department of ~~natural resources~~ fish, wildlife, parks, and forestry, the department of transportation, the department of commerce, the department of administration, the state historical society and the University of Wisconsin-Extension shall cooperate with and assist the board in matters related to its functions.

SECTION ~~574~~ <sup>1404d</sup> 41.41 (5) (e) of the statutes is amended to read:

41.41 (5) (e) Consult and cooperate with the department of agriculture, trade and consumer protection, the department of ~~natural resources~~ fish, wildlife, parks, and forestry, the department of transportation, the department of commerce, the department of administration, the state historical society, the University of Wisconsin-Extension, any federally recognized American Indian tribe or band in this state that appoints a liaison representative to the board regarding the management of the Kickapoo valley reserve.

SECTION ~~574~~ <sup>1404e</sup> 41.41 (9) of the statutes is amended to read:

41.41 (9) STATE NATURAL AREAS. The board shall dedicate as a state natural area under s. 23.27 any land that is a part of the Kickapoo valley reserve and any land that

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has been acquired by the board if the department of ~~natural resources~~ fish, wildlife, parks, and forestry identifies the land as appropriate for dedication. ✓⓪

Insert  
132-A

→ #. Page 536, line 14: after that line insert ✓  
SECTION ~~575~~ 42.09 (2) of the statutes is amended to read:  
①/405k

42.09 (2) (a) The state fair park board may not alter or renovate any building, appurtenance, fixture, exhibit or other structure or facility at state fair park that is owned by the board but that was owned by the former department of natural resources on July 29, 1995, without the permission of the department of fish, wildlife, parks, and forestry, but the board may provide routine maintenance without the department's permission.

(b) The state fair park board shall allow the department of ~~natural resources~~ fish, wildlife, parks, and forestry access to and use of the buildings, appurtenances, fixtures, exhibits and other structures and facilities described in par. (a) so that the department may prepare, display and dismantle exhibits during events occurring at state fair park. ✓⓪

#. Page 537, line 19: after that line insert ✓  
SECTION ~~576~~ 44.02 (5) of the statutes is amended to read:  
①/4095 ← letter "5"

44.02 (5) Keep its main library and museum rooms open at all reasonable hours on business days for the reception of the residents of this state who may wish to visit the library or museum. Except as provided under subs. (5g) and (5m), the historical society may collect a fee from residents and shall collect a fee from nonresidents for admission to historic sites or buildings acquired, leased or operated by the historical society, including areas within state parks or on other state-owned lands which incorporate historic buildings, restorations, museums or remains and which are operated by the historical society by agreement with the department of ~~natural resources~~ fish, wildlife, parks, and forestry or other departments, or for lectures, pageants or similar special events, or for admission to defray the costs of special

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exhibits in its several buildings of documents, objects or other materials not part of the historical society's regular collections but brought in on loan from other sources for such special exhibitions or for use of the main library. The historical society shall take action on a continuing basis to raise funds from private sources for the operation of its main library. The historical society may procure and sell or otherwise dispose of postcards, souvenirs and other appropriate merchandise to help defray the costs of operating its several plants and projects. ✓

#. Page 537, line 21: after that line insert: ✓  
SECTION 577. 44.12 (1) of the statutes is amended to read:

44.12 (1) The state farm and craft museum, located at Nelson Dewey state park State Park, may be developed by cooperation of the department of natural resources fish, wildlife, parks, and forestry, the society, and such other agencies as may be interested therein in accordance with such arrangements as the department of natural resources fish, wildlife, parks, and forestry and society agree upon. ✓

#. Page 538, line 5: after that line insert: ✓  
SECTION 578. 44.47 (5m) (a) of the statutes is amended to read:

44.47 (5m) (a) There is established, to be administered by the historical society and department of natural resources fish, wildlife, parks, and forestry, a program for submerged cultural resources of this state.

SECTION 579. 44.47 (5m) (b) of the statutes is amended to read:

44.47 (5m) (b) The historical society, in consultation with the department of natural resources fish, wildlife, parks, and forestry, shall coordinate the activities of the state relating to the preservation, management and public use of submerged cultural resources. The historical society may enter into agreements with federal and state agencies, political subdivisions and nonprofit organizations regarding the preservation, management and use of submerged cultural resources and the management of bottomland preserves. On or before February 1 of each



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odd-numbered year, the historical society shall submit a report to the governor and to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3), on submerged cultural resources activities and implementation of this subsection.

<sup>Ⓟ1414e</sup>  
SECTION ~~580~~. 44.47 (5m) (c) of the statutes is amended to read:

44.47 (5m) (c) The historical society and department of ~~natural resources~~ fish, wildlife, parks, and forestry may by rule designate areas of the bed of any stream or lake as bottomland preserves, for the purpose of enhancing preservation, management and public use of any submerged cultural resources within the bottomland preserve. A bottomland preserve may encompass more than one object or archacological site.

<sup>Ⓟ1414f</sup>  
SECTION ~~581~~. 44.47 (5m) (e) of the statutes is amended to read:

44.47 (5m) (e) The historical society and department of ~~natural resources~~ fish, wildlife, parks, and forestry may promulgate rules relating to the access, usc, stewardship, management, protection and recreational development of bottomland preserves, and the preservation, conservation, curation and display of submerged cultural resources and objects removed from underwater archaeological sites.

<sup>Ⓟ1414g</sup>  
SECTION ~~582~~. 44.57 (1) (c) of the statutes is amended to read:

44.57 (1) (c) Game farms, fish hatcheries, nurseries and other production facilities operated by the department of ~~natural resources~~ fish, wildlife, parks, and forestry.

<sup>✓Ⓟ</sup>  
# Page 569, line 23: after that line insert <sup>↑</sup>  
SECTION ~~583~~. 46.34 of the statutes is amended to read:

<sup>Ⓟ1553p</sup>  
46.34 **Emission standards for hazardous air contaminants.** The department may assist the department of ~~natural resources~~ environmental

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management in the development of emission standards for hazardous air contaminants under s. 285.27 (2) (b). <sup>✓</sup>

#. Page 665, line 7: after that line insert: <sup>✓</sup>

SECTION ~~584~~ 59.52 (4) (a) 3. of the statutes is amended to read:

59.52 (4) (a) 3. Records of bounty claims that are forwarded to the department of ~~natural resources~~ fish, wildlife, parks, and forestry, after one year.

SECTION ~~585~~ 59.52 (6) (e) of the statutes is amended to read:

59.52 (6) (e) Leases to department of natural resources fish, wildlife, parks, and forestry. Lease lands owned by the county to the department of ~~natural resources~~ fish, wildlife, parks, and forestry for game management purposes. Lands so leased shall not be eligible for entry under s. 28.11. Of the rental paid by the state to the county for lands so leased, 60% shall be retained by the county and 40% shall be paid by the county to the town in which the lands are located and of the amount received by the town, 40% shall be paid by the town to the school district in which the lands are located. The amount so paid by a town to a joint school district shall be credited against the amount of taxes certified for assessment in that town by the clerk of the joint school district under s. 120.17 (8), and the assessment shall be reduced by such amount. In case any leased land is located in more than one town or school district the amounts paid to them shall be apportioned on the basis of area. This paragraph shall not affect the distribution of rental moneys received on leases executed before June 22, 1955. <sup>✓</sup>

#. Page 668, line 13: after that line insert: <sup>✓</sup>

SECTION ~~586~~ 59.692 (1) (a) of the statutes is amended to read:

59.692 (1) (a) "Department" means the department of ~~natural resources~~ environmental management.

SECTION ~~587~~ 59.693 (1) of the statutes is amended to read:

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59.693 (1) DEFINITION. In this section, "department" means the department of ~~natural resources~~ environmental management.

<sup>2002h</sup>  
SECTION ~~588~~ 59.70 (2) (q) 4. of the statutes is amended to read:

59.70 (2) (q) 4. The cleanup of the site is conducted under the supervision of the department of ~~natural resources~~ environmental management.

<sup>2002h</sup>  
SECTION ~~589~~ 59.70 (6) (a) 1. of the statutes is amended to read:

59.70 (6) (a) 1. "Department" means the department of ~~natural resources~~ environmental management.

<sup>2002h</sup>  
SECTION ~~590~~ 59.70 (13) (b) of the statutes is amended to read:

59.70 (13) (b) Members or employees of the commission may request admission onto any property within the district at reasonable times to determine if mosquito breeding is present. If the owner or occupant refuses admission, the commission member or employee shall seek a warrant to inspect the property as a potential mosquito breeding ground. Commission members or employees may enter upon property to clean up stagnant pools of water or shores of lakes or streams, and may spray mosquito breeding areas with insecticides subject to the approval of the district director and the department of ~~natural resources~~ environmental management. The commission shall notify the property owner of any pending action under this paragraph and shall provide the property owner with a hearing prior to acting under this paragraph if the owner objects to the commission's actions. ✓

#. Page 669, line 11: after that line insert:

SECTION ~~591~~ 59.74 (2) (g) of the statutes is amended to read:

<sup>2003p</sup>  
59.74 (2) (g) Every land surveyor and every officer of the department of ~~natural resources~~ fish, wildlife, parks, and forestry and the district attorney shall enforce this subsection. ✓

#. Page 669, line 17: after that line insert:

SECTION ~~592~~ 60.627 (1) of the statutes is amended to read:

<sup>2003tc</sup>  
①  
②

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60.627 (1) DEFINITION. In this section, "department" means the department of ~~natural resources~~ environmental management.

<sup>Ⓟ 2003fe</sup>  
SECTION ~~593~~. 60.71 (4) (b) of the statutes is amended to read:

60.71 (4) (b) The town board shall publish a class 2 notice, under ch. 985, of the hearing. The notice shall contain an announcement of the hearing and a description of the boundaries of the proposed town sanitary district. The town board shall mail the notice to the department of commerce and the department of ~~natural resources~~ environmental management at least 10 days prior to the hearing.

<sup>Ⓟ 2003th</sup>  
SECTION ~~594~~. 60.71 (4) (c) of the statutes is amended to read:

60.71 (4) (c) Any person may file written comments on the formation of the district with the town clerk. Any owner of property within the boundary of the proposed district may appear at the hearing and offer objections, criticisms or suggestions as to the necessity of the proposed district and the question of whether his or her property will be benefited by the establishment of the district. A representative of the department of commerce and of the department of ~~natural resources~~ environmental management may attend the hearing and advise the town board.

<sup>Ⓟ 2003tl</sup>  
SECTION ~~595~~. 60.71 (7) of the statutes is amended to read:

60.71 (7) FILING AND RECORDING THE ORDER. The town board shall file copies of the order establishing the town sanitary district with the department of ~~natural resources~~ environmental management and record the order with the register of deeds in each county in which the district is located.

<sup>Ⓟ 2003tp</sup>  
SECTION ~~596~~. 60.72 (title) and (1) of the statutes are amended to read:

**60.72 (title) Creation of town sanitary district by order of the department of ~~natural resources~~ environmental management. (1)**

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DEFINITION. In this section, “department” means the department of natural resources environmental management.

<sup>⑥ 2003 tr</sup>  
SECTION ~~597~~. 60.73 of the statutes is amended to read:

**60.73 Review of orders creating town sanitary districts.** Any person aggrieved by any act of the town board or the department of natural resources environmental management in establishing a town sanitary district may bring an action in the circuit court of the county in which his or her lands are located, to set aside the final determination of the town board or the department of natural resources environmental management, within 90 days after the final determination, as provided under s. 893.73 (2). If no action is taken within the 90-day period, the determination by the town board or the department of natural resources environmental management is final.

<sup>⑥ 2003 tu</sup>  
SECTION ~~599~~. 60.782 (2) (d) of the statutes is amended to read:

60.782 (2) (d) Lease or acquire, including by condemnation, any real property situated in this state that may be needed for the purposes of s. 23.09 (19), 23.094 (3g) or ~~30.275~~ 23.434 (4).

<sup>⑥ 2003 tu</sup>  
SECTION ~~599~~. 60.785 (2) (a) of the statutes is amended to read:

60.785 (2) (a) Any town sanitary district may be consolidated with a contiguous town sanitary district by resolution passed by a two-thirds vote of all of the commissioners of each district, fixing the terms of the consolidation and ratified by the qualified electors of each district at a referendum held in each district. The resolution shall be filed as provided in s. 8.37. The ballots shall contain the words “for ~~consolidation~~”, consolidation,” and “against ~~consolidation~~”. consolidation.” If a majority of the votes cast on the referendum in each town sanitary district are for consolidation, the resolutions are effective and have the force of a contract. Certified

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copies of the resolutions and the results of the referendum shall be filed with the secretary of ~~natural resources~~ environmental management, and the original documents shall be recorded with the register of deeds in each county in which the consolidated district is situated.

<sup>Ⓟ 2003vc</sup>  
SECTION ~~600~~. 61.351 (1) (b) of the statutes is amended to read:

61.351 (1) (b) "Wetlands" has the meaning specified under s. ~~23.32~~ 278.32 (1).

<sup>Ⓟ 2003vg</sup>  
SECTION ~~601~~. 61.351 (2) of the statutes is amended to read:

61.351 (2) FILLED WETLANDS. Any wetlands ~~which~~ that are filled prior to the date on which a village receives a final wetlands map ~~from the department of natural resources~~ under s. 278.32 in a manner ~~which~~ that affects their characteristics as wetlands are filled wetlands and not subject to an ordinance adopted under this section.

<sup>Ⓟ 2003vn</sup>  
SECTION ~~602~~. 61.351 (3) of the statutes is amended to read:

61.351 (3) ADOPTION OF ORDINANCE. To effect the purposes of s. 281.31 and to promote the public health, safety and general welfare, each village shall zone by ordinance all unfilled wetlands of 5 acres or more which are shown on the final wetland inventory maps prepared ~~by the department of natural resources~~ for the village under s. ~~23.32~~ 278.32, which are located in any shorelands and which are within its incorporated area. A village may zone by ordinance any unfilled wetlands ~~which~~ that are within its incorporated area at any time.

<sup>Ⓟ 2003vr</sup>  
SECTION ~~603~~. 61.351 (6) of the statutes is amended to read:

61.351 (6) FAILURE TO ADOPT ORDINANCE. If any village does not adopt an ordinance required under sub. (3) within 6 months after receipt of final wetland inventory maps prepared ~~by the department of natural resources~~ for the village under s. ~~23.32~~ 278.32, or if the department of ~~natural resources~~ environmental

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management, after notice and hearing, determines that a village adopted an ordinance which fails to meet reasonable minimum standards in accomplishing the shoreland protection objectives of s. 281.31 (1), the department of natural resources environmental management shall adopt an ordinance for the village. As far as applicable, the procedures set forth in s. 87.30 apply to this subsection.

SECTION ~~604~~<sup>2003vw</sup>. 61.354 (1) of the statutes is amended to read:

61.354 (1) DEFINITION. As used in this section, "department" means the department of natural resources environmental management.

SECTION ~~605~~<sup>2003y-c</sup>. 62.231 (1) (b) of the statutes is amended to read:

62.231 (1) (b) "Wetlands" has the meaning specified under s. ~~23.32~~ 278.32 (1).

SECTION ~~606~~<sup>2003y-g</sup>. 62.231 (2) of the statutes is amended to read:

62.231 (2) FILLED WETLANDS. Any wetlands ~~which~~ that are filled prior to the date on which a city receives a final wetlands map from the department of natural resources under s. 278.32 in a manner ~~which~~ that affects their characteristics as wetlands are filled wetlands and not subject to an ordinance adopted under this section.

SECTION ~~607~~<sup>2003y-l</sup>. 62.231 (3) of the statutes is amended to read:

62.231 (3) ADOPTION OF ORDINANCE. To effect the purposes of s. 281.31 and to promote the public health, safety and general welfare, each city shall zone by ordinance all unfilled wetlands of 5 acres or more which are shown on the final wetland inventory maps prepared by the department of natural resources for the city under s. ~~23.32~~ 278.32, which are located in any shorelands and which are within its incorporated area. A city may zone by ordinance any unfilled wetlands ~~which~~ that are within its incorporated area at any time.

SECTION ~~608~~<sup>2003y-p</sup>. 62.231 (6) of the statutes is amended to read:

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62.231 (6) FAILURE TO ADOPT ORDINANCE. If any city does not adopt an ordinance required under sub. (3) within 6 months after receipt of final wetland inventory maps prepared by the department of natural resources for the city under s. ~~23.32~~ 278.32, or if the department of ~~natural resources~~ environmental management, after notice and hearing, determines that a city adopted an ordinance ~~which~~ that fails to meet reasonable minimum standards in accomplishing the shoreland protection objectives of s. 281.31 (1), the department of ~~natural resources~~ environmental management shall adopt an ordinance for the city. As far as applicable, the procedures set forth in s. 87.30 apply to this subsection.

<sup>2003yt</sup>  
SECTION ~~609~~ 62.231 (6m) of the statutes is amended to read:

62.231 (6m) CERTAIN AMENDMENTS TO ORDINANCES. For an amendment to an ordinance enacted under this section that affects an activity that meets all of the requirements under s. 281.165 (2) or (3) (a), the department of ~~natural resources~~ environmental management may not proceed under sub. (6), or otherwise review the amendment, to determine whether the ordinance, as amended, fails to meet reasonable minimum standards.

<sup>2003yx</sup>  
SECTION ~~609~~ 62.234 (1) of the statutes is amended to read:

62.234 (1) DEFINITION. As used in this section, "department" means the department of ~~natural resources~~ environmental management. ✓

#. Page 678, line 22: after that line insert:  
SECTION ~~614~~ 66.0217 (9) (b) of the statutes is amended to read:

<sup>2019g</sup>  
66.0217 (9) (b) Within 10 days of receipt of the ordinance, certificate and plat, the secretary of state shall forward 2 copies of the ordinance, certificate and plat to the department of transportation, one copy to the department of administration, one copy to the department of revenue, one copy to the department of public instruction, one copy to the department, one copy to the department of ~~natural resources~~



**BILL**

environmental management, one copy to the department of fish, wildlife, parks, and forestry, one copy to the department of agriculture, trade and consumer protection and 2 copies to the clerk of the municipality from which the territory was annexed. *V/O*

↓  
Insert  
142-A →

~~SECTION 612. 66.0221 of the statutes is amended to read:~~

~~**66.0221 Annexation of and creation of town islands.** Upon its own motion, a city or village by a two-thirds vote of the entire membership of its governing body may enact an ordinance annexing territory which comprises a portion of a town or towns and which was completely surrounded by territory of the city or village on December 2, 1973. The ordinance shall include all surrounded town areas except those exempt by mutual agreement of all of the governing bodies involved. The annexation ordinance shall contain a legal description of the territory and the name of the town or towns from which the territory is detached. Upon enactment of the ordinance, the city or village clerk immediately shall file 6 certified copies of the ordinance in the office of the secretary of state, together with 6 copies of a scale map. The secretary of state shall forward 2 copies of the ordinance and scale map to the department of transportation, one copy to the department of natural~~

Insert  
to  
Insert  
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resources, environmental management, one copy to the department of fish, wildlife, parks, and forestry, one copy to the department of revenue and one copy to the

department of administration. This section does not apply if the town island was created only by the annexation of a railroad right-of-way or drainage ditch. This section does not apply to land owned by a town government which has existing town government buildings located on the land. No town island may be annexed under this section if the island consists of over 65 acres or contains over 100 residents.

Section 66.0217 (11) applies to annexations under this section. After

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~~December 2, 1973, no city or village may, by annexation, create a town area which is completely surrounded by the city or village.~~

#. Page 680, line 5: after that line insert

SECTION ~~612~~ 66.0223 of the statutes is amended to read:

<sup>2019p</sup>  
**66.0223 Annexation of territory owned by a city or village.** In addition to other methods provided by law and subject to ss. 59.692 (7) and 66.0307 (7), territory owned by and lying near but not necessarily contiguous to a village or city may be annexed to a village or city by ordinance enacted by the board of trustees of the village or the common council of the city, provided that in the case of noncontiguous territory the use of the territory by the city or village is not contrary to any town or county zoning regulation. The ordinance shall contain the exact description of the territory annexed and the names of the towns from which detached, and attaches the territory to the village or city upon the filing of 7 certified copies of the ordinance in the office of the secretary of state, together with 7 copies of a plat showing the boundaries of the territory attached. Two copies of the ordinance and plat shall be forwarded by the secretary of state to the department of transportation, one copy to the department of administration, one copy to the department of natural resources environmental management, one copy to the department of fish, wildlife, parks, and forestry, one copy to the department of revenue and one copy to the department of public instruction. Within 10 days of filing the certified copies, a copy of the ordinance and plat shall be mailed or delivered to the clerk of the county in which the annexed territory is located. Section 66.0217 (11) applies to annexations under this section.

<sup>2019r</sup>  
SECTION ~~614~~ 66.0235 (5) of the statutes is amended to read:

**66.0235 (5) APPORTIONMENT BOARD.** The boards or councils of the local governmental units, or committees selected for that purpose, acting together,

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constitute an apportionment board. When a local governmental unit is dissolved because all of its territory is transferred the board or council of the local governmental unit existing at the time of dissolution shall, for the purpose of this section, continue to exist as the governing body of the local governmental unit until there has been an apportionment of assets by agreement of the interested local governmental units or by an order of the circuit court. After an agreement for apportionment of assets has been entered into between the interested local governmental units, or an order of the circuit court becomes final, a copy of the apportionment agreement, or of the order, certified to by the clerks of the interested local governmental units, shall be filed with the department of revenue, the department of ~~natural resources~~ environmental management, the department of fish, wildlife, parks, and forestry, the department of transportation, the state superintendent of public instruction, the department of administration, and with any other department or agency of the state from which the town may be entitled by law to receive funds or certifications or orders relating to the distribution or disbursement of funds, with the county treasurer, with the treasurer of any local governmental unit, or with any other entity from which payment would have become due if the dissolved local governmental unit had continued in existence. Subject to ss. 79.006 and 86.303 (4), payments from the shared revenue account made pursuant to ch. 79, payments of forest crop taxes under s. 77.05, of transportation aids under s. 20.395, of state aids for school purposes under ch. 121, payments for managed forest land under subch. VI of ch. 77 and all payments due from a department or agency of the state, from a county, from a local governmental unit, or from any other entity from which payments would have become due if the dissolved local governmental unit had continued in existence, shall be paid to the interested local

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governmental unit as provided by the agreement for apportionment of assets or by any order of apportionment by the circuit court and the payments have the same force and effect as if made to the dissolved local governmental unit.

<sup>2019f</sup>  
SECTION ~~614~~. 66.0307 (4) (a) 1. of the statutes is amended to read:

66.0307 (4) (a) 1. The department, the department of ~~natural resources environmental management, the department of fish, wildlife, parks, and forestry,~~ the department of agriculture, trade and consumer protection and the department of transportation.

<sup>2020k</sup>  
SECTION ~~616~~. 66.0407 (5) of the statutes is amended to read:

66.0407 (5) This section does not apply to Canada thistle or annual noxious weeds that are located on land that the department of ~~natural resources~~ fish, wildlife, parks, and forestry owns, occupies or controls and that is maintained in whole or in part as habitat for wild birds by the department of natural resources fish, wildlife, parks, and forestry.

#. Page 682, line 22: after that line insert  
SECTION ~~617~~. 66.1105 (2) (k) of the statutes is amended to read:

<sup>2029p</sup>  
66.1105 (2) (k) "Tax incremental district" means a contiguous geographic area within a city defined and created by resolution of the local legislative body, consisting solely of whole units of property as are assessed for general property tax purposes, other than railroad rights-of-way, rivers or highways. Railroad rights-of-way, rivers or highways may be included in a tax incremental district only if they are continuously bounded on either side, or on both sides, by whole units of property as are assessed for general property tax purposes which are in the tax incremental district. "Tax incremental district" does not include any area identified as a wetland on a map under s. ~~23.32~~ 278.32.

<sup>2029w</sup>  
SECTION ~~618~~. 66.1106 (1) (c) of the statutes is amended to read:

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66.1106 (1) (c) “Eligible costs” means capital costs, financing costs and administrative and professional service costs, incurred or estimated to be incurred by a political subdivision, for the investigation, removal, containment or monitoring of, or the restoration of soil, air, surface water, sediments or groundwater affected by, environmental pollution, including monitoring costs incurred within 2 years after the date on which the department of ~~natural resources~~ environmental management certifies that environmental pollution on the property has been remediated, property acquisition costs, demolition costs including asbestos removal, and removing and disposing of underground storage tanks or abandoned containers, as defined in s. 292.41 (1), except that for any parcel of land “eligible costs” shall be reduced by any amounts received from persons responsible for the discharge, as defined in s. 292.01 (3), of a hazardous substance on the property to pay for the costs of remediating environmental pollution on the property, by any amounts received, or reasonably expected by the political subdivision to be received, from a local, state or federal program for the remediation of contamination in the district that do not require reimbursement or repayment and by the amount of net gain from the sale of the property by the political subdivision. “Eligible costs” associated with groundwater affected by environmental pollution include investigation and remediation costs for groundwater that is located in, and extends beyond, the property that is being remediated.

<sup>2030e</sup>  
SECTION ~~609~~. 66.1106 (1) (f) of the statutes is amended to read:

66.1106 (1) (f) “Environmental remediation tax incremental base” means the aggregate value, as equalized by the department, of a parcel of real property that is certified under this section as of the January 1 preceding the date on which the department of ~~natural resources~~ environmental management issues a certificate

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certifying that environmental pollution on the property has been remediated in accordance with rules promulgated by the department of ~~natural resources~~ environmental management.

<sup>Ⓟ 20396</sup>  
SECTION ~~620~~. 66.1106 (4) (intro.) of the statutes is amended to read:

66.1106 (4) CERTIFICATION. (intro.) Upon written application to the department of revenue by the clerk of a political subdivision on or before April 1 of the year following the year in which the certification described in par. (a) is received from the department of ~~natural resources~~ environmental management, the department of revenue shall certify to the clerk of the political subdivision the environmental remediation tax incremental base of a parcel of real property if all of the following apply:


<sup>Ⓟ 20392</sup>  
SECTION ~~621~~. 66.1106 (4) (a) of the statutes is amended to read:

66.1106 (4) (a) The political subdivision submits a statement that it has incurred some eligible costs, and includes with the statement a detailed proposed remedial action plan approved by the department of ~~natural resources~~ environmental management that contains cost estimates for anticipated eligible costs and a schedule for the design, implementation and construction that is needed to complete the remediation, with respect to the parcel or contiguous parcels of property and the statement details the purpose and amount of the expenditures already made and includes a dated certificate issued by the department of ~~natural resources~~ environmental management that certifies that the department of ~~natural resources~~ environmental management has approved the site investigation report that relates to the parcel or contiguous parcels in accordance with rules promulgated by the department of ~~natural resources~~ environmental management.

<sup>Ⓟ 20412</sup>  
SECTION ~~622~~. 66.1106 (7) (d) of the statutes is amended to read:

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66.1106 (7) (d) 1. The department may not authorize a positive environmental remediation tax increment under par. (a) to pay otherwise eligible costs that are incurred by the political subdivision after the department of ~~natural resources~~ environmental management certifies to the department of revenue that environmental pollution on the parcel of property has been remediated unless the costs are associated with activities, as determined by the department of ~~natural resources~~ environmental management, that are necessary to close the site described in the site investigation report.

2. The department of ~~natural resources~~ environmental management shall certify to the department of revenue the completion of the remediation of environmental pollution at the site described in the site investigation report. 

Insert  
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~~SECTION 623. 70.11 (21) (a) of the statutes is amended to read:~~

~~70.11 (21) (a) All property purchased or constructed as a waste treatment facility used for the treatment of industrial wastes as defined in s. 281.01 (5) or air contaminants as defined in s. 285.01 (1) but not for other wastes as defined in s. 281.01 (7) and approved by the department of revenue for the purpose of abating or eliminating pollution of surface waters, the air or waters of the state if that property is not used to grow agricultural products for sale. For the purposes of this subsection "industrial waste" also includes wood chips, sawdust and other wood residue from the paper and wood products manufacturing process that can be used as fuel and would otherwise be considered superfluous, discarded or fugitive material. The department of ~~natural resources~~ environmental management and department of health and family services shall make recommendations upon request to the department of revenue regarding such property. All property purchased or upon~~

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which construction began prior to July 31, 1975, shall be subject to s. 70.11 (21), 1973 stats.

<sup>ⓐ2104 n</sup>  
SECTION ~~624~~. 70.11 (21) (b) of the statutes is amended to read:

70.11 (21) (b) The books and records of owners of property covered by this subsection shall be open to examination by representatives of the department of natural resources environmental management, department of health and family services and department of revenue. ✓

# Page 705, line 24: after that line insert!

ⓑ2114c  
SECTION ~~625~~. 70.113 (1) (intro.) of the statutes is amended to read:

70.113 (1) (intro.) As soon after April 20 of each year as is feasible the department of natural resources fish, wildlife, parks, and forestry shall pay to the city, village, or town treasurer all of the following amounts from the following appropriations for each acre situated in the municipality of state forest lands, as defined in s. 28.02 (1), state parks under s. 27.01 and state public shooting, trapping or fishing grounds and reserves or refuges operated thereon, acquired at any time under s. 29.10, 1943 stats., s. 23.09 (2) (d) or 29.749 (1) or from the appropriations made by s. 20.866 (2) (tp) by the department of natural resources fish, wildlife, parks, and forestry or leased from the federal government by the department of natural resources fish, wildlife, parks, and forestry:

<sup>ⓐ2114e</sup>  
SECTION ~~626~~. 70.113 (2) (a) of the statutes is amended to read:

70.113 (2) (a) Towns, cities or villages shall be paid for forest lands as defined in s. 28.02 (1), state parks under s. 27.01 and other lands acquired under s. 23.09 (2) (d), 23.27, 23.29, 23.293, 23.31 or 29.749 (1) located within such municipality and acquired after June 30, 1969. Such payments shall be made from the appropriation under s. 20.370 (5) (da) or (dq) and remitted by the department of natural resources



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fish, wildlife, parks, and forestry in the amounts certified by the department of revenue according to par. (b).

<sup>2114g</sup>  
SECTION ~~627~~ 70.114 (1) (a) of the statutes is amended to read:

70.114 (1) (a) "Department" means the department of natural resources fish, wildlife, parks, and forestry. ✓

Insert  
150-A →

~~SECTION 628. 70.32 (2) (c) 4. of the statutes is amended to read:~~

~~70.32 (2) (c) 4. "Swampland or wasteland" means bog, marsh, lowland brush, uncultivated land zoned as shoreland under s. 59.692 and shown as a wetland on a final map under s. 23.32 278.32 or other nonproductive lands not otherwise classified under this subsection.~~

<sup>2114g m</sup>  
SECTION ~~629~~ 70.375 (4) (o) of the statutes is amended to read:

70.375 (4) (o) Actual and necessary reclamation and restoration costs associated with a mine in this state, including payments for future reclamation and postmining costs which are required by law or by department of natural resources environmental management order and fees and charges under chs. 281, 285 or 289 to 299, except s. 281.48, not otherwise deductible under this section. Any refunds of escrowed or reserve fund payments allowed as a deduction under this paragraph shall be taxed as net proceeds at the average effective tax rate for the years the deduction was taken.

<sup>2114j m</sup>  
SECTION ~~630~~ 70.395 (2) (dc) 1. of the statutes is amended to read:

70.395 (2) (dc) 1. Each person intending to submit an application for a mining permit shall pay \$50,000 to the department of revenue for deposit in the investment and local impact fund at the time that the person notifies the department of natural resources environmental management under s. 293.31 (1) of that intent.

<sup>2114n m</sup>  
SECTION ~~631~~ 70.395 (2) (j) of the statutes is amended to read:

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70.395 (2) (j) Prior to the beginning of a fiscal year, the board shall certify to the department of administration for payment from the investment and local impact fund any sum necessary for the department of ~~natural resources~~ environmental management to make payments under s. 289.68 (3) for the long-term care of mining waste sites, if moneys in the waste management fund are insufficient to make complete payments during that fiscal year, but this sum may not exceed the balance in the waste management fund at the beginning of that fiscal year or 50% of the balance in the investment and local impact fund at the beginning of that fiscal year, whichever amount is greater.


\* SECTION ~~631~~<sup>214a m</sup> 70.395 (2) (k) of the statutes is amended to read:

70.395 (2) (k) Prior to the beginning of each fiscal year, the board shall certify to the department of administration for payment from the investment and local impact fund any sum necessary for the department of ~~natural resources~~ environmental management to make payments under s. 292.31 for the environmental repair of mining waste sites, if moneys in the environmental fund that are available for environmental repair are insufficient to make complete payments during that fiscal year. This sum may not exceed the balance in the environmental fund at the beginning of that fiscal year or 50% of the balance in the investment and local impact fund at the beginning of that fiscal year, whichever amount is greater.


\* #. Page 728, line 23, after that line insert:  
SECTION ~~631~~<sup>214a 3</sup> 71.05 (11) (a) of the statutes is amended to read:

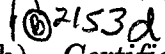
71.05 (11) (a) The federal adjusted basis at the end of the calendar year 1968 or corresponding fiscal year of waste treatment plant or pollution abatement equipment acquired pursuant to order or recommendation of the committee on water pollution, state board of health, city council, village board or county board pursuant

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to s. 59.07 (53) or (85), 1971 stats., may be treated as a subtraction modification on the return of the calendar year 1969 or corresponding fiscal year but not in later years. In case of such subtraction an add modification shall be made in 1969 and later taxable years to reverse federal depreciation or amortization of such basis or to correct gain or loss on disposition. The cost of such plant or equipment acquired in 1969 or thereafter pursuant to order, recommendation or approval of the committee on water pollution, department of resource development, department of ~~natural resources~~ fish, wildlife, parks, and forestry, department of environmental management, state board of health, city council, village board, or county board pursuant to s. 59.07 (53) or (85), 1971 stats., (less any federal depreciation or amortization taken) may be deducted as a subtraction modification or as subtraction modifications in the year or years in which paid or accrued, dependent on the method of accounting employed. In case of such election, appropriate add modifications shall be made in subsequent years to reverse federal depreciation or amortization or to correct gain or loss on disposition. This paragraph is intended to apply only to depreciable property except that where wastes are disposed of through a lagoon process, lagooning costs and the cost of land containing such lagoons may be treated as depreciable property for purposes of this paragraph. In no event may any amount in excess of cost be deducted. The taxpayer shall file with the department copies of all recommendations, orders or approvals relating to installation of such property and such other documents or data relating thereto as the department requests. 

# Page 738, line 6; after that line insert:

 SECTION ~~634~~ 71.10 (5) (h) (intro.) of the statutes is amended to read:

 71.10 (5) (h) *Certification of amounts.* (intro.) Annually, on or before

September 15, the secretary of revenue shall certify to the department of ~~natural~~

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resources fish, wildlife, parks, and forestry, the department of administration and the state treasurer:

#. Page 799, line 2: after that line insert: <sup>✓</sup> <sub>2018/F</sub>  
SECTION 635. 71.30 (10) (h) (intro.) of the statutes is amended to read:

71.30 (10) (h) *Certification of amounts.* (intro.) Annually, on or before September 15, the secretary of revenue shall certify to the department of natural resources fish, wildlife, parks, and forestry, the department of administration and

the state treasurer:

#. Page 831, line 23: after that line insert: <sup>✓</sup>  
SECTION 636. 71.59 (1m) of the statutes is amended to read:

71.59 (1m) *PERMITTED USES.* The designation by the department of natural resources fish, wildlife, parks, and forestry of any farmland in this state, for which a claim under this section may be filed, as part of the ice age trail, under s. 23.17, is a permitted use under a farmland preservation agreement, or a certificate of a zoning

authority, under sub. (1) (b).

#. Page 833, line 16: after that line insert: <sup>✓</sup>  
SECTION 637. 73.01 (3) (a) of the statutes is amended to read:

73.01 (3) (a) The time and place of meetings and hearings of the commission shall be designated by the chairperson. Rooms for hearings outside the city of Madison shall be provided under s. 73.07. All hearings held in Milwaukee shall be held in the southeast district office of the department of natural resources fish, wildlife, parks, and forestry. The commission shall maintain permanent hearing

rooms in Madison.

#. Page 836, line 24: after that line insert: <sup>✓</sup>  
SECTION 638. 73.0301 (1) (e) of the statutes is amended to read:

73.0301 (1) (e) "Licensing department" means the department of administration; the board of commissioners of public lands; the department of commerce; the ethics board; the department of financial institutions; the department of health and family services; the department of natural resources fish, wildlife,

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parks, and forestry; the department of environmental management; the department of public instruction; the department of regulation and licensing; the department of workforce development; the office of the commissioner of insurance; or the department of transportation.

#. *Page 838, line 18: after that line insert:*

*2227p*  
SECTION ~~638~~ 75.105 (1) (a) of the statutes is amended to read:

75.105 (1) (a) "Department" means the department of ~~natural resources~~ environmental management.

*2227t*  
SECTION ~~640~~ 75.106 (1) (b) of the statutes is amended to read:

75.106 (1) (b) "Department" means the department of ~~natural resources~~ environmental management.

#. *Page 843, line 5: after that line insert:*

*2243c*  
SECTION ~~641~~ 77.02 of the statutes is amended to read:

**77.02 Forest croplands. (1) PETITION.** The owner of an entire quarter quarter section, fractional lot or government lot as determined by U.S. government survey plat, excluding public roads and railroad rights-of-way that may have been sold, may file with the department of ~~natural resources~~ fish, wildlife, parks, and forestry a petition stating that the owner believes the lands therein described are more useful for growing timber and other forest crops than for any other purpose, that the owner intends to practice forestry thereon, that all persons holding encumbrances thereon have joined in the petition and requesting that such lands be approved as "Forest Croplands" under this subchapter. Whenever any such land is encumbered by a mortgage or other indenture securing any issue of bonds or notes, the trustee named in such mortgage or indenture or any amendment thereto may join in such petition, and such action shall for the purpose of this section be deemed the action of all holders of such bonds or notes.

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(2) NOTICE OF HEARING, ADJOURNMENT. Upon receipt of such petition the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall investigate the same and shall file a listing of descriptions with the town chairperson. For petitions received prior to May 1, the department shall within the same calendar year cause a notice that such petition has been filed to be published as a class 3 notice, under ch. 985, in the newspaper having the largest general circulation in the county in which the lands are located, and notice by registered mail shall be given to the town clerk of any town in which the lands are located. Such notice shall contain the name of the petitioner, a description of the lands and a statement that any resident of or taxpayer in the town may within 15 days from the date of publication of the notice file a request with the department that it conduct a public hearing on the petition. Upon receipt of such a request the department shall conduct a public hearing on the petition. The department may conduct a public hearing on any petition without a request, if it deems it advisable to do so. Notice of the time and place of such hearing and a description, in specific or general terms, as the department deems advisable, of the property requested to be approved as "Forest Croplands" shall be given to persons making the request, the owner of such land and to the assessor of towns in which it is situated, by mail, at least one week before the day of hearing. The notice also shall be published as a class 1 notice, under ch. 985, in a newspaper having general circulation in the county in which such land is located, at least one week before the day of the hearing. Such hearing may be adjourned and no notice of the time and place of such adjourned hearing need be given, excepting the announcement thereof by the presiding officer at the hearing at which the adjournment is had.

**BILL**

(3) DECISION, COPIES. After receiving all the evidence offered at any hearing held on the petition and after making such independent investigation as it sees fit the department shall make its findings of fact and make and enter an order accordingly. If it finds that the facts give reasonable assurance that a stand of merchantable timber will be developed on such descriptions within a reasonable time, and that such descriptions are then held permanently for the growing of timber under sound forestry practices, rather than for agricultural, mineral, shoreland development of navigable waters, recreational, residential or other purposes, and that all persons holding encumbrances against such descriptions have in writing agreed to the petition, the order entered shall grant the request of the petitioner on condition that all unpaid taxes against said descriptions be paid within 30 days thereafter; otherwise the department of natural resources fish, wildlife, parks, and forestry shall deny the request of the petitioner. If the request of the petitioner is granted, a copy of such order shall be filed with the department of revenue, the supervisor of equalization and the clerk of each town, and the order shall be recorded with the register of deeds of each county, in which any of the lands affected by the order are located. The register of deeds shall record the entry, transfer or withdrawal of all forest croplands in a suitable manner on the county records. The register of deeds may collect recording fees under s. 59.43 (2) from the owner. Any order of the department relating to the entry of forest croplands issued on or before November 20 of any year shall take effect on January 1 of the following calendar year, but all orders issued after November 20 shall take effect on January 1 of the calendar year following the calendar year in which orders issued on or before November 20 would have been effective.

① 2243d  
SECTION ~~642~~ 77.03 of the statutes is amended to read:

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**77.03 Taxation of forest croplands.** After the filing and recording of the order with the officers under s. 77.02 (3) the lands described therein shall be “Forest Croplands”, on which taxes shall thereafter be payable only as provided under this subchapter. The enactment of ss. 77.01 to 77.14, petition by the owner and the making of the order under s. 77.02 (3) shall constitute a contract between the state and the owner, running with the lands, for a period of 25 or 50 years at the election of the applicant at the time the petition is filed, unless withdrawn under s. 77.10, with privilege of renewal by mutual agreement between the owner and the state, whereby the state as an inducement to owners and prospective purchasers of forest croplands to come under ss. 77.01 to 77.14 agrees that, unless withdrawn under s. 77.10, no change in or repeal of ss. 77.01 to 77.14 shall apply to any land then accepted as forest croplands, except as the department of ~~natural resources~~ fish, wildlife, parks, and forestry, and the owner may expressly agree in writing and except as provided in s. 77.17. If at the end of the contract period the land is not designated as managed forest land under subch. VI, the merchantable timber on the land shall be estimated by an estimator jointly agreed upon by the department of ~~natural resources~~ fish, wildlife, parks, and forestry and the owner, and if the department and the owner fail to agree on an estimator, the judge of the circuit court of the district in which the lands lie shall appoint a qualified forester, whose estimate shall be final, and the cost thereof shall be borne jointly by the department of ~~natural resources~~ fish, wildlife, parks, and forestry and the owner; and the 10% severance tax paid on the stumpage thereon in the same manner as if the stumpage had been cut. The owners by such contract consent that the public may hunt and fish on the lands, subject to such rules as the department of ~~natural resources~~ fish, wildlife, parks, and forestry prescribes regulating hunting and fishing.



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⑥ 2243e

SECTION ~~643~~. 77.04 (2) of the statutes is amended to read:

77.04 (2) TAX PER ACRE; PAYMENT; PENALTY. The “acreage share” shall be computed at the rate of 10 cents per acre on all lands entered prior to 1972. On all lands entered after December 31, 1971, the “acreage share” shall be computed every 10 years to the nearest cent by the department of revenue at the rate of 20 cents per acre multiplied by a ratio using the equalized value of the combined residential, commercial, manufacturing, agricultural, swamp, or waste and productive forest land classes under s. 70.32 (2) within the state in 1972 as the denominator, and using equalized value for these combined land classes in 1982 and every 10th year thereafter as the numerator. All owners shall pay to the taxation district treasurer the acreage share on each description on or before January 31. If the acreage share is not paid when due to the taxation district treasurer it shall be subject to interest and penalty as provided under ss. 74.11 (11), 74.12 (10) and 74.47. These lands shall be returned as delinquent and a tax certificate under subch. VII of ch. 74 shall be issued on them. After 2 years from the date of the issuance of a tax certificate, the county clerk shall promptly take a tax deed under ch. 75. On taking such deed the county clerk shall certify that fact and specify the descriptions to the department of ~~natural resources~~ fish, wildlife, parks, and forestry.

⑥ 2243f  
SECTION ~~644~~. 77.05 of the statutes is amended to read:

**77.05 State contribution.** The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall pay before June 30 annually to the town treasurer, from the appropriation under s. 20.370 (5) (bv), 20 cents for each acre of land in the town that is described as forest croplands under this subchapter.

⑥ 2243g  
SECTION ~~645~~. 77.06 of the statutes is amended to read:

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**77.06 Forestation. (1) CUTTING TIMBER REGULATED.** No person shall cut any merchantable wood products on any forest croplands where the forest crop taxes are delinquent nor until 30 days after the owner has filed with the department of ~~natural resources~~ fish, wildlife, parks, and forestry a notice of intention to cut, specifying by descriptions and the estimated amount of wood products to be removed and the proportion of present volume to be left as growing stock in the area to be cut. The department of ~~natural resources~~ fish, wildlife, parks, and forestry may require a bond executed by some surety company licensed in this state or other surety for such amount as may reasonably be required for the payment to the department of ~~natural resources~~ fish, wildlife, parks, and forestry of the severance tax hereinafter provided. The department, after examination of the lands specified, may prescribe the amount of forest products to be removed. Cutting in excess of the amount prescribed shall render the owner liable to double the severance tax prescribed in s. 77.06 (5) and subject to cancellation under s. 77.10. Merchantable wood products include all wood products except wood used for fuel by the owner.

**(2) APPRAISAL OF TIMBER, ZONES.** Each year the department of ~~natural resources~~ fish, wildlife, parks, and forestry, at the time and place it shall fix and after such public notice as it deems reasonable, shall hold a public hearing. After the hearing the department shall make and file, open to public inspection, a determination of the reasonable stumpage values of the wood products usually grown in the several towns in which any forest croplands lie. A public hearing under this section shall be held prior to August 1 of each year and the determination of stumpage values made by the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall take effect on November 1 of that year. If the department of ~~natural resources~~ fish, wildlife,

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parks, and forestry finds there is a material variance in the stumpage values in the different localities, it may fix separate zones and determine the values for each zone.

(3) REVALUATION. As to any locality or zone in which the department of ~~natural resources~~ fish, wildlife, parks, and forestry deems there has been no material variance from the preceding year in stumpage values, it may omit to make any new valuation in any year, in which event the last preceding valuation shall continue in force until changed in a succeeding year.

(4) CUTTING REPORTED. Within 30 days after completion of cutting on any land description, but not more than one year after filing of the notice of intention to cut, the owner shall transmit to the department of ~~natural resources~~ fish, wildlife, parks, and forestry on forms provided by the department a written statement of the products so cut, specifying the variety of wood, kind of product, and quantity of each variety and kind as shown by the scale or measurement thereof made on the ground as cut, skidded, loaded, delivered, or by tree scale certified by a qualified forester when stumpage is sold by tree measurement. The department of ~~natural resources~~ fish, wildlife, parks, and forestry may accept such reports as sufficient evidence of the facts, or may either with or without hearing and notice of time and place thereof to such owner, investigate and determine the fact of the quantity of each variety and kind of product so cut during said periods preceding such reports.

(5) TAX LEVY ON RIGHT TO CUT TIMBER. The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall assess and levy against the owner a severance tax on the right to cut and remove wood products covered by reports under this section, at the rate of 10% of the value of the wood products based upon the stumpage value then in force. Upon making the assessment, the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall mail a duplicate of the certificate by registered

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mail to the owner who made the report of cutting at the owner's last-known post-office address. The tax assessed is due and payable to the department of ~~natural resources~~ fish, wildlife, parks, and forestry on the last day of the next calendar month after mailing the certificate. The proceeds of the tax shall be paid into the forestry account of the conservation fund for distribution under s. 77.07 (3).

SECTION <sup>6243h</sup>~~646~~. 77.07 (2) of the statutes is amended to read:

**77.07 (2) PENALTY, COLLECTIONS.** If any severance tax ~~remain~~ remains unpaid for 30 days after it becomes due, there shall then be added a penalty of 10%, and such tax and penalty shall thereafter draw interest at the rate of one ~~per cent~~ percent per month until paid. At the expiration of said 30 days the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall report to the attorney general any unpaid severance tax, adding said penalty, and the attorney general shall thereupon proceed to collect the same with penalty and interest by suit against the owner and by attachment or other legal means to enforce the lien and by action on the bond mentioned in s. 77.06 (1), or by any or all such means.

SECTION <sup>6243i</sup>~~647~~. 77.08 of the statutes is amended to read:

**77.08 Supplemental severance tax.** At any time within one year after any cutting should have been reported, the department of ~~natural resources~~ fish, wildlife, parks, and forestry after due notice to the owner and opportunity to be heard, and on evidence duly made a matter of record, may determine whether the quantity of wood products cut from any such land, did in fact substantially exceed the amount on which the severance tax theretofore levied was based, and if so shall assess a supplemental severance tax which, in all respects, shall have the same force and effect as the former severance tax, except only it shall not be a lien on any property the title of which has passed to a purchaser for value without notice.

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⑥ 2243j

SECTION ~~648~~ 77.09 (1) of the statutes is amended to read:

77.09 (1) Any person who fails to report or shall intentionally make any false statement or report to the department of ~~natural resources~~ fish, wildlife, parks, and forestry required by s. 77.06 shall forfeit not more than \$1,000. An action under this section shall not be a bar to a cancellation of entry and order of withdrawal under s. 77.10.

⑥ 2243 1/2

SECTION ~~648~~ 77.10 (1) of the statutes is amended to read:

77.10 (1) INVESTIGATIONS, CANCELLATIONS, CONVEYANCES. (a) The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall on the application of the department of revenue or the owner of any forest croplands or the town board of the town in which said lands lie and may on its own motion at any time cause an investigation to be made and hearing to be had as to whether any forest croplands shall continue under this subchapter. If on such hearing after due notice to and opportunity to be heard by the department of revenue, the town and the owner, the department of ~~natural resources~~ fish, wildlife, parks, and forestry finds that any such lands are not meeting the requirements set forth in s. 77.02 or that the owner has made use of the land for anything other than forestry or has failed to practice sound forestry on the land, the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall cancel the entry of such description and issue an order of withdrawal, and the owner shall be liable for the tax and penalty under sub. (2). Copies of the order of withdrawal specifying the description shall be filed by the department of ~~natural resources~~ fish, wildlife, parks, and forestry with all officers designated to receive copies of the order of entry and withdrawal and this subchapter shall not thereafter apply to the lands withdrawn, except s. 77.07 so far as it may be needed to collect any previously levied severance or supplemental severance tax. If

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the owner shall not repay the amounts on or before the last day of February next succeeding the return of such lands to the general property tax roll as provided in sub. (4), the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall certify to the county treasurer the descriptions and the amounts due, and the county treasurer shall sell such lands as delinquent as described in s. 77.04 (2). Whenever any county clerk has certified to the taking of a tax deed under s. 77.04 (2) the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall issue an order of withdrawal as to the lands covered in such tax deed. Such order may also be issued when examination of tax records reveals prolonged delinquency and noncompliance with the requirements of s. 77.04 (2).

(b) Whenever any owner of forest croplands conveys such land the owner shall, within 10 days of the date of the deed, file with the department of ~~natural resources~~ fish, wildlife, parks, and forestry on forms prepared by the department a transfer of ownership signed by the owner and an acceptance of transfer signed by the grantee certifying that the grantee intends to continue the practice of forestry on such land. The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall immediately issue a notice of transfer to all officers designated to receive copies of orders of entry and withdrawal. Whenever a purchaser of forest croplands declines to certify his or her intention to continue the practice of forestry thereon, such action shall constitute cause for cancellation of entry under par. (a) without hearing.

<sup>224311</sup>  
SECTION ~~650~~ 77.10 (2) (a) of the statutes is amended to read:

77.10 (2) (a) 1. Any owner of forest croplands may elect to withdraw all or any of such lands from under this subchapter, by filing with the department of ~~natural resources~~ fish, wildlife, parks, and forestry a declaration withdrawing from this subchapter any description owned by such person which he or she specified, and by

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payment by such owner to the department of ~~natural resources~~ fish, wildlife, parks, and forestry within 60 days the amount of tax due from the date of entry or the most recent date of renewal, whichever is later, as determined by the department of revenue under s. 77.04 (1) with simple interest thereon at 12% per year, less any severance tax and supplemental severance tax or acreage share paid thereon, with interest computed according to the rule of partial payments at the rate of 12% per year.

2. The amount of the tax shall be determined by the department of revenue and furnished to the department of ~~natural resources~~ fish, wildlife, parks, and forestry, which shall determine the exact amount of payment. When the tax rate or assessed value ratio of the current year has not been determined the rate of the preceding tax year may be used. On receiving such payment the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall issue an order of withdrawal and file copies thereof with the department of revenue, the supervisor of equalization and the clerk of the town, and shall record the order with the register of deeds of the county, in which the land lies. The land shall then cease to be forest croplands.

<sup>Ⓟ 2243p</sup>  
SECTION ~~651~~. 77.10 (2) (b) of the statutes is amended to read:

77.10 (2) (b) Upon receipt of any taxes under this section by the state, the department of ~~natural resources~~ fish, wildlife, parks, and forestry shall first deduct all moneys paid by the state on account of the lands under s. 77.05 with interest on the moneys computed according to the rule of partial payments at the rate of interest paid under par. (a) by the person withdrawing such lands. The department shall within 20 days remit the balance to the town treasurer who shall pay 20% to the county treasurer and retain the remainder.

<sup>Ⓟ 2243q</sup>  
SECTION ~~652~~. 77.10 (4) of the statutes is amended to read:

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77.10 (4) **TAXATION AFTER WITHDRAWAL.** When any description ceases to be a part of the forest croplands, by virtue of any order of withdrawal issued by the department of ~~natural resources~~ fish, wildlife, parks, and forestry, taxes thereafter levied thereon shall be payable and collectible as if such description had never been under this subchapter.

Ⓟ 2243r

**SECTION 653.** 77.11 of the statutes is amended to read:

**77.11 Accounts of department of ~~natural resources~~ fish, wildlife, parks, and forestry.** The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall keep a set of forest croplands books in which shall always appear as to each description in each town containing any forest croplands, the amount of taxes paid by the state to the town and received by the state from the owner. All tax payments shall be paid out of and receipts credited to the forestry account of the conservation fund.

Ⓟ 2243s

**SECTION 654.** 77.13 of the statutes is amended to read:

**77.13 Termination of forest croplands program.** (1) On and after July 20, 1985, no person may petition the department of ~~natural resources~~ fish, wildlife, parks, and forestry requesting it to approve any land as forest croplands under this subchapter.

(2) On and after January 1, 1986, the department of ~~natural resources~~ fish, wildlife, parks, and forestry may not act on any petition requesting the designation of land as forest croplands, issue any order entering land as forest croplands or enter into a renewal of any forest croplands contract under this subchapter.

Ⓟ 2243t

**SECTION 655.** 77.14 of the statutes is amended to read:

**77.14 Forest croplands information, protection, appropriation.** The department of ~~natural resources~~ fish, wildlife, parks, and forestry shall publish and



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distribute information regarding the method of taxation of forest croplands under this subchapter, and may employ a fire warden in charge of fire prevention in forest croplands. All actual and necessary expenses incurred by the department of ~~natural resources~~ fish, wildlife, parks, and forestry or by the department of revenue in the performance of their duties under this subchapter shall be paid from the appropriation made in s. 20.370 (1) ~~(mu)~~ (3) (uu) upon certification by the department incurring such expenses.

<sup>Ⓟ 2243u</sup>  
SECTION 656. 77.16 (1) of the statutes is amended to read:

77.16 (1) In this section "department" means the department of ~~natural resources~~ fish, wildlife, parks, and forestry.

<sup>Ⓟ 2243v</sup>  
SECTION 657. 77.54 (38) of the statutes is amended to read:

77.54 (38) The gross receipts from the sale of and the storage, use or other consumption of snowmobile trail groomers and attachments for them that are purchased, stored, used or consumed by a snowmobile club that meets at least 3 times a year, that has at least 10 members, that promotes snowmobiling and that participates in the department of natural resources' snowmobile program under s.

350.12 (4) (b). <sup>✓</sup>  
*#. Page 847, line 15: after that line insert!*

<sup>Ⓟ 2247at</sup>  
SECTION 658. 77.76 (1) of the statutes is amended to read:

77.76 (1) The department of revenue shall have full power to levy, enforce and collect county and special district sales and use taxes and may take any action, conduct any proceeding, impose interest and penalties and in all respects proceed as it is authorized to proceed for the taxes imposed by subch. III. The department of transportation and the department of ~~natural resources~~ fish, wildlife, parks, and forestry may administer the county and special district sales and use taxes in regard

to items under s. 77.61 (1). <sup>✓</sup>

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#. Page 848, line 9: after that line insert:  
SECTION ~~659~~ 77.81 (1) of the statutes is amended to read:

77.81 (1) "Department" means the department of ~~natural resources~~ fish, wildlife, parks, and forestry.

#. Page 848, line 25: after that line insert:  
SECTION ~~660~~ 77.82 (2) (intro.) of the statutes is amended to read:

77.82 (2) PETITION. (intro.) Any owner of land may petition the department to designate any eligible parcel of land as managed forest land. A petition may include any number of eligible parcels under the same ownership in a single municipality. Each petition shall be submitted on a form provided by the department and shall be accompanied by a nonrefundable \$10 application fee unless a different amount of the fee is established by the department by rule at an amount equal to the average expense to the department of recording an order issued under this subchapter. The fee shall be deposited ~~in~~ into the conservation fund and credited to the appropriation under s. 20.370 (1) (3) (cr). Each petition shall include all of the following:

SECTION ~~661~~ 77.82 (4) of the statutes is amended to read:

77.82 (4) ADDITIONS TO MANAGED FOREST LAND. An owner may petition the department to designate as managed forest land an additional parcel of land in the same municipality if the additional parcel is at least 3 acres in size and is contiguous to any of the owner's designated land. The petition shall be accompanied by a nonrefundable \$10 application fee unless a different amount of the fee is established in the same manner as the fee under sub. (2). The fee shall be deposited ~~in~~ into the conservation fund and credited to the appropriation under s. 20.370 (1) (3) (cr). The petition shall be submitted on a department form and shall contain any additional information required by the department.

SECTION ~~662~~ 77.82 (4m) (bn) of the statutes is amended to read:

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77.82 (4m) (bn) A petition under this subsection shall be accompanied by a nonrefundable \$100 application fee which shall be deposited ~~in~~ into the conservation fund and credited to the appropriation under s. 20.370 (1) (3) (cr). *✓*

*#. Page 849, line 3: after that line insert:*  
SECTION 663. 77.88 (2) (d) of the statutes is amended to read:

*2247v*  
77.88 (2) (d) Within 10 days after a transfer of ownership, the former owner shall, on a form provided by the department, file with the department a report of the transfer signed by the former owner and the transferee. The report shall be accompanied by a \$20 fee which shall be deposited ~~in~~ into the conservation fund and credited to the appropriation under s. 20.370 (1) (3) (cr). The department shall immediately notify each person entitled to notice under s. 77.82 (8).

*2247w*  
SECTION 664. 77.91 (4) of the statutes is amended to read:

77.91 (4) EXPENSES. Except as provided in sub. (5), the department's expenses for the administration of this subchapter shall be paid from the appropriation under s. 20.370 (1) ~~(mu)~~ (3) ~~(uu)~~.

*2247x*  
SECTION 665. 77.91 (5) of the statutes is amended to read:

77.91 (5) RECORDING. Each register of deeds who receives notice of an order under this subchapter shall record the action as provided under s. 59.43 (1). The department shall pay the register of deeds the fee specified under s. 59.43 (2) (ag) 1. from the appropriation under s. 20.370 (1) (3) (cr). If the amount in the appropriation under s. 20.370 (1) (3) (cr) in any fiscal year is insufficient to pay the full amount required under this subsection in that fiscal year, the department shall pay the balance from the appropriation under s. 20.370 (1) ~~(mu)~~ (3) ~~(uu)~~. *✓*

*#. Page 856, line 3: after that line insert:*  
SECTION 666. 80.05 (2) (b) of the statutes is amended to read:

*2294c*  
80.05 (2) (b) Give notice by registered mail to the department of natural resources fish, wildlife, parks, and forestry, the department of environmental

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management, and to the county land conservation committee in each county through which the highway may pass.

SECTION <sup>Ⓟ 2294g</sup> ~~667~~. 80.39 (2) of the statutes is amended to read:

80.39 (2) NOTICE. Upon such petition the county board or the commissioners appointed by the board shall give notice of the time and place they will meet to decide on the petition. The notice shall be published as a class 2 notice, under ch. 985. The notice shall also be given to the department of ~~natural resources~~ fish, wildlife, parks, and forestry by serving a copy upon the secretary of ~~natural resources~~ fish, wildlife, parks, and forestry either by registered mail or personally and to the department of environmental management by serving a copy upon the secretary of environmental management. If the board appoints a committee to act, the notice shall state the fact and the notice shall be signed by the commissioners, otherwise by the chairperson of the board. Ⓟ 2294n

SECTION <sup>Ⓟ 2294n</sup> ~~668~~. 80.41 of the statutes is amended to read:

**80.41 Discontinuing ways to waters.** No resolution, ordinance, order or similar action of any town board or county board or committee thereof discontinuing any highway, street, alley or right-of-way that provides public access to any navigable lake or stream shall be effective until such resolution, ordinance, order or similar action is approved by the department of ~~natural resources~~ fish, wildlife, parks, and forestry and the department of environmental management.

SECTION <sup>Ⓟ 2294f</sup> ~~669~~. 84.01 (17) of the statutes is amended to read:

84.01 (17) IMPROVEMENTS FOR NEXT 6 YEARS. In each odd-numbered year, the department shall determine, as far as possible, what improvements will be made during the following 6-year period, and shall notify the county clerks prior to February 1 of each even-numbered year, as to the improvements in their respective

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counties. Such notice shall also be given to the department of ~~natural resources, fish, wildlife, parks, and forestry, to the department of environmental management,~~ and to the department of agriculture, trade and consumer protection.

<sup>Ⓟ 2294W</sup>  
SECTION ~~670~~ 84.01 (23) of the statutes is amended to read:

84.01 (23) BRIDGE STANDARDS. The department shall adopt standards and specifications for the design and construction of county, town, village and city bridges, arches or culverts. The standards shall be developed after consultation with the department of ~~natural resources~~ fish, wildlife, parks, and forestry and the department of environmental management, and shall be directed at preventing undue impairment of public rights in navigable waters. ✓

#. Page 861, line 17! after their line insert!

<sup>Ⓟ 2204T</sup>  
SECTION ~~671~~ 84.02 (3) (a) of the statutes is amended to read:

84.02 (3) (a) Changes may be made in the state trunk system by the department, if it deems that the public good is best served by making the changes. The department, in making the changes, may lay out new highways by the procedure under this subsection. Due notice shall be given to the localities concerned of the intention to make changes or discontinuances, and if the change proposes to lay a highway via a new location and the distance along such deviation from the existing location exceeds 2 1/2 miles, then a hearing in or near the region affected by the proposed change shall be held prior to making the change effective. The notice shall also be given to the secretary of ~~natural resources~~ fish, wildlife, parks, and forestry and to the secretary of environmental management either by registered mail or personally. Whenever the department decides to thus change more than 2 1/2 miles of the system the change shall not be effective until the decision of the department has been referred to and approved by the county board of each county in which any part of the proposed change is situated. A copy of the decision shall be filed in the

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office of the clerk of each county in which a change is made or proposed. Where the distance along the deviation from the existing location exceeds 5 miles the change shall constitute an addition to the state trunk highway system. The preexisting route shall continue to be a state trunk highway unless the county board of each county in which any part of the relocation lies and the department mutually agree to its discontinuance as a state trunk highway. Whenever such county board or boards and the department cannot so agree the department shall report the problem to the next ensuing session of the legislature for determination. ✓/0

#. Page 865, line 20: after that line insert:  
SECTION 672. 84.078 (1) (am) of the statutes is amended to read:

84.078 (1) (am) "High-volume industrial waste" means fly ash, bottom ash, paper mill sludge or foundry process waste, or any other waste with similar characteristics specified by the department of ~~natural resources~~ environmental management by rule.

SECTION 673. 84.078 (3) (a) 2. of the statutes is amended to read:

84.078 (3) (a) 2. The department of ~~natural resources~~ environmental management certifies to the department of transportation, before the time that the department of transportation advertises for bids for the improvement, that the high-volume industrial waste intended to be used and the design for the use of the high-volume industrial waste comply with all applicable state requirements or standards administered by the department of ~~natural resources~~ environmental management.

SECTION 674. 84.078 (3) (b) (intro.) of the statutes is amended to read:

84.078 (3) (b) (intro.) The exemption under par. (a) extends to the transportation of high-volume industrial waste to or from the site of a highway improvement and to the storage of high-volume industrial waste at the site of a

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highway improvement. The exemption provided under par. (a) continues to apply after the date of certification by the department of ~~natural resources~~ environmental management under par. (a) 2., notwithstanding the occurrence of any of the following:

<sup>Ⓟ 2307j</sup>  
SECTION ~~675~~. 84.078 (3) (c) of the statutes is amended to read:

84.078 (3) (c) The department of transportation and the department of ~~natural resources~~ environmental management may enter into agreements establishing standard lists of high-volume industrial waste that may be used in highway improvements and designs for the use of high-volume industrial waste in highway improvements that comply with rules of the department of ~~natural resources~~ environmental management applicable at the time of the design of the highway improvement in order to simplify certification under par. (a) 2. to the greatest extent possible. ✓

# Page 866, line 7 : after that line insert ✓  
SECTION ~~676~~ 84.11 (3) of the statutes is amended to read:

<sup>Ⓟ 2307u</sup>  
84.11 (3) HEARING. Within 60 days of the receipt of a petition under sub. (2), the department shall fix a time and place for a hearing and give notice of the hearing by publication of a class 2 notice, under ch. 985, in the vicinity of the proposed bridge project. Notice shall also be given by registered letter addressed to the clerks of the counties, cities, villages and towns in which any part of the bridge project will be located. The notice shall also be given to the secretary of ~~natural resources~~ fish, wildlife, parks, and forestry and the secretary of environmental management either by registered mail or personally. The hearing may be held in any county, city, village or town in which any part of the bridge project will be located.

<sup>Ⓟ 2307w</sup>  
SECTION ~~677~~. 84.11 (7m) of the statutes is amended to read:

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84.11 (7m) EXECUTION AND CONTROL OF WORK. Subject to the control and supervision over the navigable waters of the state conferred by law upon the department of ~~natural resources~~ environmental management, and the control exercised by the United States, the construction under this section of any bridge project shall be wholly under the supervision and control of the department. The secretary shall make and execute all contracts and have complete supervision over all matters pertaining to such construction and shall have the power to suspend or discontinue proceedings or construction relative to any bridge project at any time in the event any county, city, village or town fails to pay the amount required of it as to any project under sub. (1m), or in the event the secretary determines that sufficient funds to pay the state's part of the cost of the bridge project are not available. All moneys provided by counties, cities, villages and towns shall be deposited in the state treasury, when required by the secretary, and paid out on order of the secretary. Any of such moneys deposited for a project eligible for construction under sub. (1m) which remain in the state treasury after the completion of the project shall be repaid to the respective counties, cities, villages and towns in such amounts as to result in the distribution provided in sub. (5m).

SECTION <sup>23074</sup>~~676~~. 84.12 (7) of the statutes is amended to read:

84.12 (7) EXECUTION AND CONTROL OF WORK. Subject to the control and supervision over the navigable waters of the state conferred upon the department of ~~natural resources~~ environmental management, and the control exercised by the United States, the construction under this section of any bridge project shall be under the joint supervision and control of the department and of the transportation department of the other state concerned. If the transportation department of the other state is not authorized to act jointly with this state in such bridge project



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arrangements may be made with such subdivisions of the other state as may have proper authority, represented by their proper officers. Control shall be exercised in the manner deemed most expedient by the secretary and such department or by the secretary and the officers of the subdivisions of the other state concerned in the construction. Contracts for the construction of said bridge projects may be made and executed by the secretary and the transportation department of the other state jointly, or jointly by the secretary and such subdivisions of the other state as may participate in the construction, or by appropriate agreement between the parties with respect to financing and control of the work, the authority of either state may contract for all or part of the construction. The secretary may suspend or discontinue proceedings or construction relative to any bridge project at any time in the event any county, city, village or town fails to pay the amount required of it as to any project eligible to construction under sub. (1) (a) or offered by it as to any project eligible to construction under sub. (1) (b), or in the event the secretary determines that sufficient funds to pay the state's part of the cost of the bridge project are not available. All moneys available from this state, or its subdivisions, shall be deposited in the state treasury when required by the secretary and shall be paid out only upon the order of the secretary. Moneys deposited by such subdivisions which remain in the state treasury after the completion of such project shall be repaid to the respective subdivisions in the proportion paid in. ✓

#. Page 888, line 2: after that line insert!

SECTION 679. 84.28 of the statutes is amended to read:

2308 f  
**84.28 State park, forest and riverway roads.** (1) Moneys from the appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking and maintenance of a town or county highway located within the boundaries of any state park, state forest or other property under the jurisdiction of the department of

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~~natural resources fish, wildlife, parks, and forestry.~~ Moneys from the appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking and maintenance of a town or county highway located in the lower Wisconsin state riverway as defined in s. 30.40 (15). Outside the lower Wisconsin state riverway as defined in s. 30.40 (15), or outside the boundaries of these parks, forests or property, moneys from the appropriation under s. 20.370 (7) (mc) may be expended for the renovation, marking and maintenance of roads which the department of ~~natural resources fish, wildlife, parks, and forestry~~ certifies are utilized by a substantial number of visitors to state parks, state forests or other property under the jurisdiction of the department of ~~natural resources fish, wildlife, parks, and forestry~~. The department of ~~natural resources fish, wildlife, parks, and forestry~~ shall authorize expenditures under this subsection. The department of ~~natural resources fish, wildlife, parks, and forestry~~ shall rank projects eligible for assistance under a priority system and funding may be restricted to those projects with highest priority.

(2) The department may administer a program for the construction, maintenance and marking of roads, including fire roads, service areas, trailer or vehicle parking stalls or parking areas and other facilities consistent with highway construction and for the marking of scenic routes in the state parks, state forests, the ~~lower Lower Wisconsin state riverway~~ State Riverway as defined under s. 30.40 (15), state fish hatcheries, other public used areas under the jurisdiction of the department of ~~natural resources fish, wildlife, parks, and forestry~~ and other public lands as defined in ch. 24, for highways or fire roads leading from the most convenient state trunk highways to such lands, and for the relocation and construction of state trunk highways in or near state parks when required in the interests of public safety. Within the limitations and for the purposes of this section,

